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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/630,282	07/30/2003	Richard Martin Jacobson	A01395	9705	
7590	11/03/2008		EXAMINER		
Rohm and Haas Company 100 Independence Mall West Philadelphia, PA 19106		QAZI, SABIHA NAIM			
		ART UNIT		PAPER NUMBER	
		1612			
		MAIL DATE		DELIVERY MODE	
		11/03/2008		PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: RICHARD MARTIN, MARTHA JEAN KELLY,
AND WILLIAM NIXON JAMES JR.

Application No. 10/630,282
Technology Center 1612

Mailed: October 31, 2008

Before DELORES LOWE, *Review Team Paralegal*
LOWE, *Review Team Paralegal*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on August 18, 2008. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter requiring attention prior to docketing.

On April 29, 2008, an Examiner's Answer was entered to the record.

On page 2, the examiner stated that “[t]he appellant's statement of the status of amendments after final rejection contained in the brief is correct”.

However, on April 16, 2007, the appellants filed an amendment after final rejection. A review of the file reveals that there is no indication that the amendment after final rejection has been considered. Clarification of the status of the amendment is required. The Examiner shall notify the appellants, in writing whether or not the amendment filed April 16, 2007 has been entered.

CONCLUSION

Accordingly, it is

ORDERED that the application is returned to the Examiner to:

1) for clarification of whether there is or is not to be entry of the amendment filed April 16, 2008;

2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

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